

AMENDED IN ASSEMBLY JULY 2, 2008

AMENDED IN SENATE MAY 27, 2008

AMENDED IN SENATE APRIL 8, 2008

AMENDED IN SENATE MARCH 24, 2008

SENATE BILL

No. 1097

**Introduced by Senator Torlakson
(Coauthor: Senator Alquist)**

January 14, 2008

An act to amend Section 60605 of, and to add Section 60605.4 to, the Education Code, relating to school curriculum.

LEGISLATIVE COUNSEL'S DIGEST

SB 1097, as amended, Torlakson. School curriculum: content standards.

Existing law, operative until July 1, 2011, and to be repealed on January 1, 2012, requires the State Board of Education to adopt statewide academic content standards and performance standards, based on the recommendation of the Commission for the Establishment of Academic Content and Performance Standards and the State Superintendent of Public Instruction, respectively. Existing law authorizes the state board to modify any proposed content standard or performance standard prior to its adoption.

This bill would delete the provisions allowing the state board to modify the recommended standards prior to adoption. This bill would require the Superintendent to appoint a content standards review panel for each subject area in which state content standards have been adopted by the state board, as specified. It would also require the panels to review the content standards in their particular subject areas, and revise the

standards as the review panel may deem necessary. This bill would require the state board to hold hearings on the revised content standards and adopt or reject the standards, within 120 days of receipt from the review panel. *The state board would be required to provide a specific, written explanation of the reasons why revised content standards submitted by a content standards review panel are not adopted. This bill would authorize a content standards review panel to modify the standards to correct deficiencies identified by the state board and to resubmit the standards for adoption.* The state board and the Superintendent would be required to use existing resources of the State Department of Education in performing the duties required by the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 60605 of the Education Code is amended
2 to read:
3 60605. (a) (1) (A) Not later than January 1, 1998, the state
4 board shall adopt statewide academically rigorous content
5 standards, pursuant to the recommendations of the Commission
6 for the Establishment of Academic Content and Performance
7 Standards, in the core curriculum areas of reading, writing, and
8 mathematics to serve as the basis for assessing the academic
9 achievement of individual pupils and of schools, school districts,
10 and the California educational system. Not later than November
11 1, 1998, the state board shall adopt these standards in the core
12 curriculum areas of history/social science and science.
13 (B) The state board shall adopt statewide performance standards
14 in the core curriculum areas of reading, writing, mathematics,
15 history/social science, and science based on the recommendations
16 made by the Superintendent of a contractor or contractors.
17 (C) The state board shall require the contractor or contractors
18 to submit performance standards to the Superintendent and the
19 state board not later than a specified date that allows sufficient
20 opportunity for the Superintendent to make a recommendation to
21 the state board and for the state board to conduct regional hearings
22 prior to the adoption of the performance standards.
23 (2) (A) The state performance standards shall be established
24 against specific grade level benchmarks of academic achievement

1 for each subject area tested and shall be based on the knowledge
2 and skills that pupils will need in order to succeed in the
3 information-based, global economy of the 21st century. These
4 skills shall not include personal behavioral standards or skills,
5 including, but not limited to, honesty, sociability, ethics, or
6 self-esteem. The standards adopted pursuant to this section shall
7 be for the purpose of guiding state decisions regarding the
8 development, adoption, and approval of assessment instruments
9 pursuant to this chapter, and do not mandate any actions or
10 activities by school districts.

11 (B) Because these standards are models, the adoption of these
12 standards is not subject to the Administrative Procedure Act. This
13 subparagraph is declaratory of existing law.

14 (3) Before adopting academic content and performance
15 standards, the state board shall hold regional hearings for the
16 purpose of giving parents and other members of the public the
17 opportunity to comment on the proposed standards.

18 (b) (1) The state board shall require the department to notify
19 publishers of the opportunity to submit, for consideration by the
20 state board pursuant to Section 60642, tests of achievement that
21 include all of the basic academic skills identified in paragraph (3)
22 of subdivision (a) of Section 60603 in grades 2 to 8, inclusive, and
23 the core curriculum areas of English and language arts,
24 mathematics, and science in grades 9 to 11, inclusive.

25 (2) The Superintendent shall recommend to the state board
26 which achievement test to adopt pursuant to subdivision (b) of
27 Section 60642.

28 (c) (1) The state board shall ensure that the statewide assessment
29 system adopted pursuant to this chapter yields valid, reliable
30 individual pupil scores and, if applicable, aggregate school scores,
31 school district scores, and statewide scores of pupils and assesses
32 basic academic skills and content standards, including the use of
33 a direct writing assessment or other applied academic skills if
34 deemed valid and reliable and if resources are made available for
35 their use.

36 (2) This subdivision does not prevent the state board from
37 developing or adopting an assessment instrument that also contains
38 assessments of basic academic skills.

39 (d) To the extent feasible and as otherwise required, the state
40 board shall ensure that assessments developed, or contracted for

1 pursuant to Section 60642.5, by the state are aligned with the
2 statewide content and performance standards adopted pursuant to
3 subdivision (a) or Section 60605.4, as applicable. The department,
4 with the approval of the state board, periodically shall contract for
5 a review of the achievement test for conformance with these
6 standards.

7 (e) After adopting statewide content and performance standards,
8 the state board shall review the existing curriculum frameworks
9 for conformity with the new statewide standards and shall modify
10 the curriculum frameworks if appropriate, to bring them into
11 alignment with the standards.

12 (f) The state board shall adopt regulations for the conduct and
13 administration of the testing and assessment program.

14 (g) The state board shall adopt a regulation for minimum security
15 procedures that test and assessment publishers and school districts
16 must follow to ensure the security and integrity of test and
17 assessment questions and materials.

18 (h) This section shall become inoperative on July 1, 2011.

19 SEC. 2. Section 60605.4 is added to the Education Code, to
20 read:

21 60605.4. (a) The Superintendent shall appoint a content
22 standards review panel for each subject area in which state content
23 standards have been adopted by the state board, including, but not
24 limited to, health, reading, writing, mathematics, history/social
25 science, science, visual and performing arts, physical education,
26 foreign language, and career technical education.

27 (b) Each content standards review panel shall review the content
28 standards established in its particular subject area and may revise
29 the standards as it may deem necessary.

30 (c) The Superintendent shall ensure that the appointment of
31 each content standards review panel and the revision of any
32 standards pursuant to this section are timed to coincide with, and
33 provide a foundation for, the review and adoption of statewide
34 curriculum frameworks and instructional materials.

35 (d) In making appointments to each review panel, the
36 Superintendent shall ensure that each review panel meets all of
37 the following criteria:

38 (1) A panel shall include only experts who possess a thorough
39 knowledge of the academic content standards in the content area
40 and grade level span in which they are appointed, and shall include,

1 but not necessarily be limited to, credentialed individuals with
2 current or recent classroom experience.

3 (2) A panel shall include a wide range of experts on public
4 schools, including, but not limited to, individuals with expertise
5 on urban and rural schools, English language learners, and special
6 education.

7 (3) A panel shall include experts in various grade levels and
8 from different geographic areas of the state.

9 (4) A panel shall reflect the ethnic and gender diversity of
10 California.

11 (e) If a content standards review panel revises the standards in
12 its particular subject area, it shall forward the standards to the state
13 board, which shall hold hearings on the revised content standards.
14 The state board shall adopt or reject the revised content standards
15 within 120 days of their receipt from a content standards review
16 panel.

17 *(f) If the revised content standards submitted by a content*
18 *standards review panel are rejected, the state board shall provide*
19 *a specific, written explanation of the reasons why the submitted*
20 *standards were not adopted. The panel may modify the standards*
21 *to correct deficiencies identified by the state board and may*
22 *resubmit standards for adoption.*

23 ~~(f)~~
24 (g) Members of the content standards review panels shall serve
25 without compensation, except for actual and necessary travel
26 expenses.

27 SEC. 3. The State Board of Education and the Superintendent
28 of Public Instruction shall use existing resources of the State
29 Department of Education in performing the duties required by this
30 bill.